

SECTION IV

MONITORING PLAN

The Department of Economic and Community Development (ECD) has developed a monitoring system to ensure that the activities carried out in furtherance of the Plan, are done so in a timely manner in accordance with all applicable laws, regulations, policies and sound management and accounting practices.

MONITORING OF CONSTRUCTION/ACQUISITION PROJECT PROGRESS

Upon completion of the environmental review process and the subsequent Release of Funds (ROF), ECD will contract with Delegate Agencies to implement its construction, acquisition and clearance activities. A Delegate Agency may be a cooperating city or a County department. Attachments to each contract lay the foundation for ongoing monitoring. The attachments are:

- a description of the project/activity;
- the specific total funding allocation available for the project/activity;
- the funding portions currently released and available to expend;
- the budget categories under which the allocation will be expended;
- identification of the entity responsible for maintenance and operation of the completed project; and,
- delineation of specific procedures for project/activity implementation.

The following forms/reports are used for construction/acquisition monitoring:

- Construction Project Tracking Report;
- Payroll Log;
- Project Progress Letters; and,
- Cooperating Cities Office Visit Monitoring Form.

MONITORING OF PUBLIC SERVICE PROGRAMS

Grant funded public service programs are carried out by subrecipient non-profit agencies or by cooperating cities. The subrecipient contracts or delegate agency agreements (in the case of cities) lay the foundation for the on-going monitoring of the public service activities. The contracts specify the services to be provided, the amount of grant funding to be utilized, the clientele to be served, and the reporting requirements. The contracts require monthly reports from the subrecipients. ECD staff review program progress, the allowability of expenditures for reimbursement, and compliance with all other contract requirements.

Additionally, on site monitoring visits are conducted at least annually to review subrecipient's record keeping, provision of service and service facilities. The following forms/reports are used in monitoring public service programs:

- Direct Benefit Form;
- Beneficiary Qualification Statement;
- Monitoring List of Community Based Organizations under Contract; and,
- Community Based Organization Office Monitoring Visit Form.

MONITORING OF CONTINUING ELIGIBILITY OF CAPITAL EQUIPMENT AND FACILITIES

Monitoring of the eligibility of equipment and facilities during acquisition or construction is conducted under the project implementation stage of the County's housing and community development program. Upon project completion, the on-going eligibility is governed by the maintenance and operation agreement in effect for the project. To monitor compliance, the project is logged onto a master listing of projects to be monitored. The time period for compliance is noted along with information about the project. The scheduling of various monitoring activities is controlled from this list and a monitoring schedule listing. The following forms/reports are used in monitoring continuing eligibility:

- Contract Monitoring Report;
- Monitoring Schedule;
- Procedures for On-Site Monitoring of Facilities;
- Equipment and Vehicles;
- On-Site Monitoring Form;
- Eligible and Ineligible Uses Listing;
- Review of Public Facilities/Equipment Use Certification;
- Public Facility Certification Form, Equipment Certification; and,
- Direct Benefit Certification and the Income Statement.

MONITORING OF BUSINESS EXPANSION LOAN ACTIVITY

ECD proposes to take the following steps/actions in monitoring Business Expansion Loans:

- Within 30 days after final loan approval by the Board of Supervisors and the Economic and Community Development (ECD) staff will meet with the company's representative to review the following:
 - Review the borrower's commitment of filling, to the best of their ability, a minimum 51 percent of all new and retained jobs, by persons of low- and moderate-income, and;
 - Confirmation of the borrower's listing of positions of the new and retained permanent jobs. In the case of job retention, borrower will submit a list of retained positions and identify those positions currently held by person of low-and moderate-incomes.
 - Inform the company's representative on how to complete the Employment Certification Form that is required for each retained or new employee.
 - Advise the representative of the required submission of the quarterly DE-3, the Employee Certifications, and the annual financial statements.
- ECD staff will schedule the first monitoring visit within six months from the time the loan was approved.
- Monitoring visits will be conducted on an annual basis, following a specific schedule.
- A Monitoring Report will be completed by ECD staff for each monitoring visit.
- Companies who fail to meet the 51% hiring criteria will receive a written request for explanation. If applicable, the company shall be given a specific time period for meeting compliance with their agreed hiring goals.
- At the end of the initial two years of the loan term, if compliance with the Loan Agreement requirements are not met, ECD has the right to call the loan.

MONITORING OF HOUSING PRESERVATION AND DEVELOPMENT

All affordable housing programs assisted by CDBG and/or HOME funds will be monitored in accordance with the governing federal regulations. Additionally, the following monitoring procedures will be implemented for all housing preservation and development programs:

- While in progress, each residential rehabilitation will be inspected by ECD for compliance with contract specifications and appropriate workmanship standards upon receipt of a progress payment request from the contractor.
- Costs associated with the charges by a subrecipient for residential repair services (administration, travel, labor and materials) will be monitored on a project by project basis.
- Random inspections of all residential rehabilitation and repair job sites will be conducted periodically by ECD.
- Upon receipt of a request for final payment from a contractor, ECD will conduct a final inspection of each residential rehabilitation for compliance with contract specifications and workmanship standards. Compliance with these standards must be verified prior to releasing the final payment to the contractor.

EMERGING SMALL BUSINESS OUTREACH

In 1997, a court decision upheld the validity of Proposition 209, which prohibits the use of any preference in the award of contracts. Another court decision found the State's Minority and Women Business Enterprise Program unconstitutional. As a result, the County Board of Supervisors revised County Policy 11-15 on January 13, 1998. This County Policy was re-designated as County Policy 15-01, effective on July 1, 2000. The policy revision converted the Minority and Women Business Enterprise (MWBE) participation program to an Emerging Small Business Enterprise (ESBE) outreach program. Under this new program, access will be increased to County contracting opportunities for all emerging small businesses, regardless of the race and gender of their owners. The County has established a Small Business Enterprise Manager who is developing and maintaining a directory of registered Emerging Small Business Enterprises. This directory is being used by County departments and prime contractors to identify, reach out to and procure goods and services from qualified ESBE's.